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A New York Professional Corporation

Avery Samet

Member NY Bar

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e-mail: asamet@samlegal.com

direct: 212.497.8239

July 20, 2015

VIA ECF

**LETTER MOTION FOR PERMISSION TO MOVE
FOR STAY PENDING APPEAL ON EXPEDITED BASIS**

Honorable Katherine B. Forrest
United States District Court
Southern District of New York
500 Pearl Street, Room 1950
New York, New York 10007

Re: *Sanjiv Ahuja v. LightSquared Inc., et al.*, No. 15-cv-2342, on appeal from
In re LightSquared Inc., et al., Ch. 11 Case No. 12-12080

Dear Judge Forrest:

On behalf of appellant Sanjiv Ahuja, we write to request permission to move on an expedited basis for a stay of the Bankruptcy Court's March 27, 2015 order confirming the chapter 11 plan of LightSquared Inc. and its debtor affiliates ("LightSquared") pending Mr. Ahuja's appeal.

At oral argument held June 4, 2015 (the relevant excerpt of which is enclosed herewith), the Court previously indicated Mr. Ahuja should not move for such a stay while the appeal was *sub judice*:

If, for instance, I were to rule against you, Mr. Samet, then I would assume you would take it to the Second Circuit. You would still have this period of time that is out there. So you would then move before the Second Circuit for a stay, if you deemed that necessary or appropriate. **Then if you move for a stay before me, I am going to tell you to wait, because that will require me to figure out if you have any likelihood in success of the merits that I am already in the process of deciding the appeal.**

In accordance with this Court's instructions, Mr. Ahuja waited for a decision or further notification from the Court before moving for a stay. In order to remain true to the Court's direction to ensure enough time for a decision without the Court having to decide a stay motion, Mr. Ahuja proposed the Court direct that he be provided 14-days advance notice of plan

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consummation so the parties could avoid having to brief whether a stay should be granted on an emergency basis in contravention of the Court's instructions.

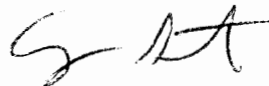
Nevertheless, by letter dated July 17, 2015, LightSquared now takes the position (despite having said nothing at oral argument) that Mr. Ahuja must make a formal motion for a stay and he had better be prepared to post a bond equal to \$1.7+ million per day (alleged added interest expense and professional fees) plus the cost of any increase in LightSquared's commitment fees.

Mr. Ahuja submits an analysis of LightSquared's borrowing costs under its pre- and postpetition and exit facilities and interest obligations to preferred equity holders reveals LightSquared's interest-accrual concerns are significantly overstated. In fact, the exit financing is likely more expensive than its current financing. In any event, Mr. Ahuja is surprised LightSquared is only now raising an issue about the alleged added cost from a stay when the parties discussed the need for and consequences of a stay with the Court in both April and June.¹

In light of LightSquared's threat to consummate the plan while this Court is still considering the appeal, Mr. Ahuja respectfully requests permission to move for a stay on an expedited basis. Mr. Ahuja is prepared to move for a stay today, July 20, 2015. Mr. Ahuja requests that any response be filed within 2 days after filing of his motion, and that argument on such motion be scheduled for as soon thereafter as practicable. Absent entry of a stay, there exists a material risk that the FCC will promptly approve LightSquared's change of control application, that LightSquared will begin taking steps to consummate the plan, and that LightSquared will argue such consummation renders Mr. Ahuja's appeal equitably moot.

We appreciate the Court's consideration of this matter and remain available for a conference at the Court's convenience.

Respectfully,



Avery Samet

cc: Michael Hirschfeld
ECF List

Enclosure

Ordered
(Opening) Expedited briefing on motion for
stay due on 7/21/15;
opposition due 7/23/15; reply due
7/24.
K.B. [Signature]

¹ Mr. Ahuja disputes many of the assertions of fact and law contained in LightSquared's July 17, 2015 letter and will address them in his motion papers. *WDJ*

7/20/15